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OFFICE OF PETITIONS

In re Application of :
Nakada et al. :
Application No. 09/832,488 :
Filed: April 11, 2001 :
Atty Dckt No. :
954-007861-US (D01) : ON PETITION

This is a decision on the Petition to Withdraw Holding of Abandonment Based Under MPEP §§ 711.02 and 711.03(C), filed March 30, 2006.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely and properly reply to the non-final Office action, mailed June 15, 2005. The Notice set a three (3) month period for reply, and provided for extensions of time under 37 CFR 1.136(a). No response having been received, the application became abandoned September 16, 2005. A Notice of Abandonment was mailed March 2, 2006.

With the instant petition, Petitioner has demonstrated non-receipt of the Notice by a preponderance of the evidence.

In view of the foregoing, the petition is **granted**. The holding of abandonment is hereby withdrawn.

No fee has been charged and none is due.

The application will be referred to Technology Center Art Unit 2145 for re-mailing of the Notice of Allowance.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

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Attorney
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